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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,701	08/28/2000	Armand Nachev	T2147-906522	6874

7590 10/18/2004

Edward J Kondracki
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EXAMINER

ROCHE, TRENTON J

ART UNIT PAPER NUMBER

2124

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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DETAILED ACTION

1. This office action is responsive to the amendment filed 26 July 2004.

Election/Restrictions

2. Newly submitted claims 36-48 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:
3. Newly proposed claims 36-48 and previously presented claims 11-35 are considered as being related as a combination and subcombination, respectively. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). Claims 11-35 detail specifics regarding the derivation of a class and/or object, which is a separate utility from that recited in claims 36-48, which are directed to a method and system for creating a document based on an object. Claims 36-48 do not discuss specifics of the derivation of a class and/or object except in dependent claims, thereby showing that the independent claims of claims 36-48 do not require the specifics of the derivation of a class and/or object (subcombination) as claimed for patentability.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 36-48 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

4. The amendment filed on 26 July 2004 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The

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remaining claims are not readable on the elected invention because newly proposed claims 36-48 and previously presented claims 11-35 are drawn to separate independent and distinct inventions, as shown above.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trent J Roche whose telephone number is (703)305-4627. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703)305-9662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Trent J Roche
Examiner
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TJR

A handwritten signature in black ink, consisting of several stylized, overlapping loops and a long, sweeping horizontal stroke extending to the right.

ANIL KHATRI
PRIMARY EXAMINER